

**National Park Service  
U.S. Department of the Interior  
Congaree National Park**



**Superintendent's Compendium**

**REVISED June 20, 2014**

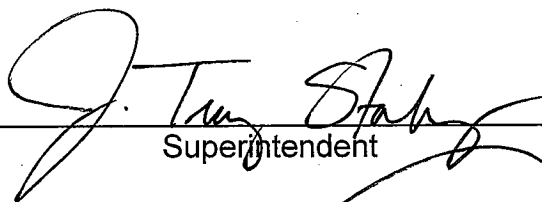
## Introduction

**The Superintendent's Compendium** is a compilation of Designations, Closures, Request Requirements and Other Restrictions imposed under the discretionary authority of the Superintendent.

The following regulatory provisions are established for the proper management, protection, government and public use of Congaree National Park under the jurisdiction of the National Park Service. These are in accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations, Chapter 1, Parts 1 through 7, authorized by Title 16, United States Code, Section 3. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1.

Written determinations, which explain the reasoning behind the Superintendent's use of discretionary authority, are required by Section 1.5(c) and appear in this document in *italicized* print.

Approved: \_\_\_\_\_

  
Superintendent

Date: \_\_\_\_\_

6/20/19

Recommended: \_\_\_\_\_

  
Chief Ranger

Date: \_\_\_\_\_

6/20/2019

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## Updates

### 36 CFR § 1.5(f)

The section of the compendium related to administrative road closures was removed. After a cursory review, it was determined that controlling access to administrative roads could be done by using physical barriers and/or proper signage as provided in 36 CFR § 4.12.

The section of the compendium related to how long a vehicle will be allowed to sit and idle was slightly modified to extend idle times from ten (10) minutes to fifteen (15) minutes. This was done to provide drivers with a slightly larger buffer when loading and unloading passengers.

The section of the compendium related to the use of wood from outside the park was slightly modified to make it easier to read and to distinguish between the sections of wood from outside the park and wood gathered in the park.

The section of the compendium related to unmanned aircraft has been added pursuant to National Park Service Policy Memorandum 14-05, which is an interim policy that has been put in place to ensure that the use of unmanned aircraft is addressed in a consistent manner by the NPS before a significant level of such use occurs within the National Park System. This closure has been put in place to maintain public health and safety in units of the National Park System and to protect park resources and values until the NPS can determine whether specific uses of unmanned aircraft on the lands and waters administered by the NPS are appropriate and will not cause unacceptable impacts on park resources and values.

### 36 CFR § 2.3(c)

A fishing closure that was in place at Weston Lake was terminated. In order for the park to close an area to fishing, the Superintendent must consult with the appropriate State agency before invoking this authority. Research was conducted on the closure of Weston Lake and no supporting documentation could be found in the park or with the South Carolina Department of Natural Resources that supported the closure. The closure was temporarily lifted on June 18, 2013 through October 1, 2013 so the impact to park resources and operations could be evaluated. With no negative impacts noted, the fishing closure at Weston Lake was permanently terminated.

### 36 CFR § 2.3(d)(1)

This section of the compendium was added to clarify the difference between game fishing and non-game fishing devices. This section was added to demonstrate that non-game fish may be caught by game fishing means (i.e., closely attended hook

and line), but that no fish may be caught by non-game fishing means, such as trot lines, bush hooks, jug hooks, hoop nets, etc...

#### 36 CFR § 2.3(c)

A pet closure that was in place on the on the approximately two (2) miles of interconnected boardwalk was terminated. Originally, the closure was put in place citing instances of user conflict and failure to remove pet excrement. This closure did not affect all other park trails that allowed leashed pets. The closure restricted pets at the core of the park's trail system making it difficult to legally navigate park trails with a pet. The closure was temporarily lifted on June 18, 2013 through October 1, 2013 so the impact to park resources and other user groups could be evaluated. With no negative impacts noted, the pet closure on the boardwalk was permanently terminated.

#### 36 CFR § 2.10(a)

The section of the compendium pertaining to camping permits was changed so that any person that has obtained a camping permit must have with them photograph identification for the purpose of permit compliance. This addition was made to validate the self-registration process and eliminate the potential for providing false information.

The section of the compendium pertaining to camping near a body of water was updated to include Wise Lake as one of the bodies of water that fall under the 100 feet camping restriction. Wise Lake had inadvertently been left off the previous list.

Numerous justifications were added to this section of the compendium were previous justifications did not exist. These justifications were added to support the decision making process in compliance with 36 CFR.

#### 36 CFR § 2.15(a)(3)

This section of the Compendium pertained to pets being left unattended in the campgrounds. The section allowed for pets to be left unattended for up to two hours. The justification was so that visitors who had pets could still experience the boardwalk, which used to be closed to pets. With the pet closure on the boardwalk terminated, there is no longer a need for pets to be left unattended.

#### 36 CFR § 2.15(a)(5)

This section was added to the compendium to address the need for pet owners to pick up waste after their pets. This section is particularly important now that the pet closure on the boardwalk has been terminated and pet owners will be walking their pets on a developed boardwalk that in places is over eight (8) feet off the ground and goes on for approximately two miles.

## Supplemental Regulations

### Part 1 – General Provisions

#### 36 CFR § 1.5 -Closures and Public Use Limits

1. During emergency conditions, the park or affected park areas may be closed temporarily by the Superintendent or his or her designee without prior public notice. This includes any closure required for prescribed fire or other park operations that could impact visitor safety. (Ref: 36 CFR §1.5(f))

*Justification:* Visitor safety is paramount. The park will take precautionary steps to provide for a safe visitor experience and to prevent foreseeable accidents and/or injuries. Closures of this nature, although temporary, may last for an extended period of time. Any permanent closures will go through the required public notice process.

2. The Harry Hampton Visitor Center is open to the general public during normal business hours, which are made available to the public on site and through printed and electronic media. The administrative portion of the Harry Hampton Visitor Center (AKA Park Headquarters), Maintenance Facility (to include the maintenance yard), the Fire Building and the Learning Center (to include the comfort station) are not open to the general public. (Ref: 36 CFR §1.5(f))

*Justification:* The Harry Hampton Visitor Center is a facility designed to educate and inform the visiting public. Park Headquarters, the Maintenance Facility, the Fire Building and the Learning Center were not designed for use by the general public and as such there may be safety and security concerns if the general public were to have access to these areas.

3. The waters within Congaree National Park that are located west of the Norfolk Southern railroad line are closed to vessels powered by combustion engines and electric motors. The waters located east of the Norfolk Southern Railroad line, which includes Bates Old River, are open to vessels powered by combustion engines and electric motors. (Ref: 36 CFR §1.5(f))

*Justification:* The lands and waters of Congaree National Park located west of the Norfolk Southern railroad line are designated as wilderness and designated wilderness area. In accordance with the Wilderness Act, the operation of vessels powered by combustion engines and electric motors is prohibited in wilderness. The lands and waters located east of the Norfolk Southern railroad line have not been designated as wilderness or designated wilderness, therefore the wilderness prohibition does not apply to this area of the park.

4. The "picnic area" as defined as the picnic shelter and the picnic tables located adjacent to the west end of the Harry Hampton Visitor Center parking lot are

available for use by park visitors from official daylight to 9:00 pm. Park sponsored programming is exempt from this regulation. (Ref: 36 CFR §1.5(f))

*Justification:* The use of this area is limited to prevent illegal overnight camping and audio disturbances during the nighttime hours.

5. No vehicle, whether gasoline or diesel operated, shall be permitted to sit and idle anywhere in the park for a period of longer than 15 minutes. Idling may be permitted during extenuating circumstances, such as a bona fide medical condition or severe heat, at the discretion of the Law Enforcement Park Ranger.

(Ref: 36 CFR §1.5(f))

*Justification:* Idling vehicles create an audible disturbance and affect the air quality, thus affecting the park aesthetics and resources and taking away from the visitor experience.

6. Climbing on trees with or without climbing gear within the boundaries of Congaree National Park is prohibited. This regulation does not apply to researchers carrying a valid permit for this activity. (Ref: 36 CFR §1.5(f))

*Justification:* Congaree National Park was created to preserve the last contiguous stand of old growth bottom land forest in the United States. Allowing climbing on State and National Champion Trees could adversely affect the resource by damaging the trees.

7. The possession of firewood from a source outside the park is prohibited UNLESS it falls into one of the following two categories:
  1. The wood has been purchased in the State of South Carolina AND the visitor has the receipt and the packing material in which the wood was purchased.
  2. The wood is certified as pest free AND the visitor has the receipt and the packing material in which the wood was purchased.

Firewood that does not fall into either of the previous two categories is prohibited in the park. Firewood in violation this regulation may be confiscated by a Law Enforcement Park Ranger or the visitor may be directed to immediately burn the wood or remove it from the park. Congaree National Park considers firewood to be any wood cut, sold or intended for use as firewood, including chips, limbs, branches, etc. with or without bark. Kiln-dried, finished and cut lumber or lumber scraps from which the bark has been removed during the milling process and is like that purchased from a hardware store or discarded at a construction site, **is not** considered firewood and **shall not** be burned. (Ref: 36 CFR §1.5(f))

*Justification:* This closure is intended to prevent or slow the introduction of exotic insects or diseases into the Congaree National Park. The emerald ash borer (EAB) has already killed tens of millions of trees in those states that have been infested. As a

*result, the movement of firewood within and from infested areas is regulated by the states and the federal government. The USDA has documented that a number of other harmful species can be transported in firewood.*

8. Glass Containers are prohibited in and around bodies of water within the park. No glass container shall be within 25 feet of a body of water. (Ref: 36 CFR §1.5(f))

*Justification: Glass containers are prohibited around and in bodies of water to provide for the safety of visitors engaged in water sports or activities.*

9. The open display and/or use of radio telemetry equipment or similar GPS equipment (aka, radio collars), which are commonly used to track wildlife and hunting dogs, is prohibited in the park without the prior permission of the Chief Ranger or his/her designee (i.e., commissioned law enforcement Park Ranger), and may **only** be used to expedite the retrieval of a dog that is believed to be running loose in the park. Persons seeking permission to display or use radio telemetry equipment in the park shall, on a daily basis, provide their name, telephone number and vehicle description as well as a description of the dog(s) being sought and the area in which the search is to be conducted.

Permission to use this equipment to retrieve a loose dog does not exempt a person from any other regulation or law. Persons with a valid Research Permit are exempted from this requirement. (Ref: 36 CFR §1.5(f))

*Justification: Radio telemetry/GPS are efficient methods of catching a dog that has entered the park. However, radio telemetry can also be used to track wildlife or to facilitate a hunt by tracking dogs in pursuit of wildlife. This restriction is intended to facilitate the legitimate use of telemetry equipment in the park and to assist law enforcement personnel in distinguishing legitimate from illegal use.*

10. Fishing from foot bridges located on the trail system within Congaree National Park is prohibited. (Ref: 36 CFR §1.5(f))

*Justification: The foot bridges have been constructed to allow park visitors to cross bodies of water while navigating the park trail system. The bridges are narrow and were not built to allow additional space for fishing.*

11. Launching, landing or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Congaree National Park is prohibited except as approved in writing by the Superintendent.

The term "unmanned aircraft" means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to



operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g., model airplanes, quadcopters, drones) that are used for any purpose, including recreation or commerce. (Ref: 36 CFR §1.5(f))

*Justification: Congaree National Park is comprised largely of wilderness or designated wilderness. In accordance with the Wilderness Act, the use of motor vehicles, motorized equipment, motorboats, landing of aircraft, and all other forms of mechanical transport are prohibited. For those park areas that do not fall under the wilderness provisions, this closure has been put in place to maintain public health and safety and to protect park resources and values until the NPS can determine whether specific uses of unmanned aircraft on the lands and waters administered by the NPS are appropriate and will not cause unacceptable impacts on park resources and values.*

### **36 CFR § 1.6 – Permits**

1. The following is a compilation of those activities for which a permit from the superintendent is required:
  - A. Collection of Specimens/Scientific Research 2.5(a)
  - B. Special Events 2.50(a)
  - C. Public Assemblies 2.51(a)
  - D. Sale or distribution of printed material 2.52(c)
  - E. Display of commercial notices or advertisements 5.1
  - F. Memorialization 2.62(b)
  - G. Business Operations 5.3
  - H. Commercial Photography 5.5
  - I. Any construction on Federal property 5.7
  - J. Camping Permit (Front and Backcountry) 2.10(a)

(Ref: 36 CFR §1.6(f))

*Justification: An application for a permit should be submitted to the Superintendent or his/her designee during normal business hours and within a time frame that is sufficient for an informed decision to be made. Permits that are not submitted within a sufficient time frame will be denied. Certain activities require permits issued by the Superintendent to insure such activities are conducted in compliance with applicable regulations.*

## **Part 2 – Resource Protection, Public Use and Recreation**

### **36 CFR § 2.1 – Preservation of Natural, Cultural and Archeological Resources**

1. Dead wood on the ground may be collected for use as fuel for campfires within the park as designated by the Superintendent. Cutting and removing live woodland plants is not permitted for any reason. (Ref: 36 CFR §2.1(a)(4))

The superintendent has designated that down and dead wood may be collected in the following areas as specified below:

- Longleaf and Bluff Campgrounds – within a 300 foot perimeter of the campground.
- Picnic Area to Include Picnic Shelter - within a 300 foot perimeter of the picnic area.

*Justification:* While the collection of down and dead wood is allowed within the park area it is restricted to the areas specified above in order to balance the visitors experience against the needs of the natural ecosystem.

2. The Superintendent may designate certain fruits, berries, nuts or unoccupied seashells that may be collected... AND The Superintendent may limit the size and the quantity of the natural product to be collected; the location where the natural products may be gathered; and restrict the possession or consumption of the natural products to the park area.

The following fruits, nuts, or berries may be gathered by hand for personal use or consumption, in accordance with the noted size and quantity restrictions. Possession and consumption of the collected fruits, nuts and berries shall be restricted to the park area.

- |                    |                            |
|--------------------|----------------------------|
| • Blackberries     | 1 liter per person per day |
| • Edible Mushrooms | 1 quart per person per day |
| • Grapes           | 1 liter per person per day |
| • Blueberries      | 1 liter per person per day |
| • Paw Paw Fruit    | 1 liter per person per day |
| • Wild plums       | 1 liter per person per day |
| • Walnuts          | 1 liter per person per day |

(Ref. 36 CFR §2.1(c)(1))

*Justification:* While the collection of certain berries, nuts and fruits is allowed, the Superintendent has imposed limitations on the size and quantity of these natural products in order to balance the visitor experience against the natural ecosystem.

### **36 CFR § 2.2 – Wildlife Protection**

1. Hunting and trapping and prohibited in Congaree National Park. (Ref: 36 CFR §2.2(b)(1))

*Justification:* Based on the enabling legislation for Congaree National Park, hunting is not mandated by Federal statutory law, nor is it authorized as a discretionary activity.

2. All of Congaree National Park is closed to the viewing of wildlife with an artificial light. Park sponsored programming is exempt from this regulation.

(Ref. 36 CFR §2.2(b)(4)(e))

*Justification:* The use of artificial light to view wildlife disturbs the animals in their natural habitat and may be indicative of illegal hunting activities known as "spotlighting". This regulation does not pertain to using a light at night for navigational or utilitarian (i.e., pitch a tent, prepare food) purposes. This regulation pertains specifically to shining the light on or at wildlife.

3. Wildlife legally taken from outside the park may not be transported through the park regardless of mobile conveyance (i.e, car, truck, ATV, boat).

(Ref. 36 CFR §2.2(b)(4)(d))

*Justification:* Congaree National Park is not located in an area that presents the need for through traffic. The only park road is not a throughway.

4. Wildlife legally taken from outside the park that enters the park from private land and dies may be transported out of the park only in the following manner:
  - The individual retrieving the game must first contact a Congaree National Park Law Enforcement Park Ranger and provide them with the following information:
    - Name and contact number
    - Type of game
    - Date and time game was shot
    - Park location
  - Once notification has been made, the individual may retrieve the game.
    - No weapon or dogs may be brought into the park to retrieve the game.
    - No motorized vehicle (including ATVs) or non-motorized vehicle (bicycle) or cart may be taken off road to retrieve the game. .

This regulation does not permit the individual retrieving the game to violate any other park regulation while involved in this activity. (Ref. 36 CFR §2.1(a)(4))

*Justification:* This regulation exists to allow for the transportation of wildlife that was legally harvested outside the park that has fled into the park and died. All specified requirements must be met to ensure that illegal hunting is not taking place in the park.

### 36 CFR § 2.3 - Fishing

1. Fishing is permitted in all areas of Congaree National Park with a valid South Carolina State fishing license. A valid South Carolina fishing license is required for all game fishing, to include fishing with a cane pole. (Ref. 36 CFR §2.3(a))

*Justification:* The park's enabling legislation mandates that fishing will be allowed within the park and that any area of the park closed to fishing must be done with the consent of the State of South Carolina.

2. Non-game fishing devices are prohibited in the park. (Ref. 36 CFR §2.3(d)(1))

Justification: Non-game fishing devices are prohibited in the park because of 36 CFR §2.3(d)(1), which states that fishing in fresh waters in any manner other than by hook and line, with the rod or line being closely attended is prohibited.

### **36 CFR§ 2.4 – Weapons, Traps and Nets**

Note: South Carolina State Law (Section 16-23-20) allows for a person who is granted a permit (concealed carry permit) under provision of law by the State Law Enforcement Division to carry a handgun about his person, under conditions set forth in the permit; allows for a firearm to be carried in a vehicle if the handgun is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle; and allows licensed hunters or fishermen who are engaged in hunting or fishing or going to or from their places of hunting or fishing while in a vehicle or on foot. Since hunting is prohibited in the park, the hunting section of the regulation shall not apply. However, fishing is authorized by the enabling legislation of this park; therefore, the provision applying to a licensed fisherman being able to carry a firearm while fishing or going to and from their places of fishing while in a vehicle or on foot does apply.

According to South Carolina State Law (Section 23-31-210) a "Concealable weapon" is a firearm having a length of less than twelve inches measured along its greatest dimension that must be carried in a manner that is hidden from public view in normal wear of clothing except when needed for self-defense, defense of others, and the protection of real or personal property.

According to 18 U.S.C. § 930 the possession of firearms and dangerous weapons in Federal facilities is prohibited and shall be posted conspicuously at each public entrance. Therefore, all firearms and dangerous weapons are prohibited from all buildings with Congaree National Park, to include the Harry Hampton Visitor Center. Note that a dangerous weapon is a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 1/2 inches in length.

### **36 CFR § 2.10- Camping and Food Storage**

The following regulations have been established by the Superintendent to better manage the camping activities at Congaree National Park.

1. Persons camping within the park are required to obtain a permit issued by the Superintendent or his or her designee. Any person that has obtained a camping permit must have with them a photograph identification for the purpose of permit

compliance. A camping permit will be required for individual and group front country camping at established campsites and for individual camping in the back country. Camping permits **will not** be issued for group back country camping. Individuals planning a camping trip into the back country may obtain a permit via telephone by calling the front desk at the Harry Hampton Visitor Center during normal business hours. Individual and group front country camping **will not** be permitted over the phone; it will be on a first come first serve basis at the camper registration station. The back country camping permit obtained over the phone may be applied for no more than 30 days in advance of the trip. If times allows, a copy of the permit will be mailed to the visitor so that he or she will have it during their visit to the park. If times does not allow, the individual will be given a reference number over the phone and he or she will use that as proof of registration. Otherwise, all campers within Congaree National Park shall have their camping permit:

- Posted on their site marker when front country camping at an established campsite; OR
- Carried on their person when back country camping in a manner that is readily available to establish proof of registration.

Camping registration stations are located at the Longleaf Pine Campgrounds and the Bluff Campgrounds. A complete camper registration form will be filled out for each occupied campsite. Individuals camping in the park will self-register at the Longleaf Campground for:

- a) Individual front country camping at the Longleaf Campground;
- b) Group front country camping at **only** the Longleaf Campground; and
- c) Individual back country camping for all sites.

Only those individuals camping at the Bluff Campground will use the registration station in that location. All other camper registration will take place at the Longleaf Campground as specified above. (Ref. 36 CFR §2.10(a))

*Justification:* A permit system for camping is necessary for visitor safety and visitor services operations as well as for monitoring visitor impacts on park resources and overall park management. The requirement for the holder of a camping permit to have with them photograph identification is to ensure the integrity of the self-registration system and well as to provide for the safety of park visitors.

2. The length of stay for each permitted camper shall not exceed 14 consecutive days or twenty-eight (28) days in a (6) month period. (Ref. 36 CFR §2.10(a))

*Justification:* Length of stay requirements are intended to prevent permanent residency on National Park lands as well as provide a fair opportunity for all visitors to use camping amenities.

3. No one person shall register for more than one campsite at any given time. This means no one person can register for multiple campsites or obtain a back country camping permit while holding a front country camping permit. The holding or "reserving" of additional campsites for other campers that have not yet arrived in the campgrounds is prohibited. (Ref. 36 CFR §2.10(a))

*Justification: This regulation is intended to provide a fair opportunity for all visitors to use camping amenities.*

4. Camping in the front country will only take place at designated campsites within the Longleaf and Bluff Campgrounds. The front country for these purposes is defined as that area in the park that is north of Cedar Creek between the South Cedar Creek Canoe Access to the east and the Bannister Bridge Canoe Access to the west.

Sleeping overnight in a vehicle (car camping) is prohibited in Congaree National Park. Camping permits will not be issued for car camping. Car camping includes but is not limited to sleeping in passenger vehicle, a truck, a Recreational Vehicle (RV), camper, or conversion van. Camping will only take place by permit in the front country or back country settings as defined above. (Ref. 36 CFR §2.10(a))

*Justification: Designated camping sites and areas have been established to protect resources, provide for visitor safety and to provide for a quality recreational experience.*

5. Camping regulations for developed front country sites in the Longleaf and Bluff Campgrounds:
- There are ten (10) individual sites and four (4) group sites at the Longleaf Campground. There are six (6) individual sites at the Bluff Campground. Individual sites are limited to a maximum of 8 persons. Group sites are limited to a minimum of nine (9) persons and a maximum of twenty-four (24) persons.
  - No more than three (3) temporary camping structures shall be placed at an individual site. These structures may be any combination of tents, screen tents or canopies. All camping structures must be erected within the foot print of the campsite's impacted and hardened area.
  - No more than twelve (12) temporary camping structures shall be placed at a group site. These structures may be any combination of tents, screen tents or canopies. All camping structures must be erected within the foot print of the campsite's impacted and hardened area.
  - Camp Sites must be occupied each night for the permit to remain valid. Sites left unattended for more than 24 hours (36 CFR § 2.22) will be considered

abandoned property. The site will be cleared and the gear and equipment shall be inventoried. Once camp is broken the camping permit is no longer valid.

- Check out time for all front country campsites (individual and group) is 1200 hours (noon).
- The combined use of portable structures and water holding containers for the purpose of showering within developed campgrounds must provide for a way to collect the gray water and dispose of it. Such equipment includes, but is not limited to, sun showers, shower shelters and rooms, privacy shelters, porta-showers, and shower systems. Gray water shall not drain out onto the ground in the developed campgrounds. Gray water must be carried out or disposed of in a gray water designated area.
- The use of generators is permitted in the front country campgrounds. However, generator use is prohibited between the hours of 8:00 PM and 8:00 AM, except when a waiver has been granted for the powering of medical equipment. Persons who require the use of a generator during quiet hours should obtain a waiver from the Chief Law Enforcement Ranger or his or her designee. (Ref. 36 CFR§2.10(a))

*Justification: These regulations are intended to provide for the orderly use of the developed front country campgrounds. These regulations are intended to provide a safe and enjoyable recreational experience consistent with National Park Service standards.*

#### 6. Camping regulations for back country sites:

- Back country sites are limited to six (6) persons. No permits will be issued to groups larger than six (6) persons.
- Back country sites are limited to three (3) tents per site. For the purpose of this regulation bivy sacks and camping hammocks are not considered camping structures or tents.
- Backpacking stoves or contained cooking units (closed fuel source) are permitted in the back country regardless of wilderness designation.
- Back country sites must be at least 300 feet (100 yards) away from the next closest campsite. (Ref. 36 CFR§2.10(a))

*Justification: These regulations are intended to protect the resources of the back country and the wilderness while providing a safe and enjoyable recreational experience consistent with National Park Service standards.*

7. Tarps, para wings, and wings are permitted in front and back country campsites so long as they do not impact, injure or damage park resources by their deployment. They are not considered camping structures, however if more than one unit is deployed in a campsite the suitability of additional units will be determined by a Law Enforcement Ranger based on conditions such as resource protection, safety and aesthetics. (Ref. 36 CFR§2.10(a))

*Justification: This regulation is intended to give campers additional options for having protection from the elements. However, protecting the parks resources and the aesthetic value as well as providing safety for park visitors remains paramount.*

8. Camping within 25 feet of a water hydrant or a main road and 100 feet of a flowing body of water is prohibited unless otherwise designated by the Superintendent. Due to abundant amount of sloughs and guts within the park it would be difficult to stay 100 feet away from flowing (moving) water during certain times of the year. Therefore, the camping within 100 feet of a body of water restriction will only apply to the following bodies of water:
- Cedar Creek
  - Toms Creek
  - Bates Old River
  - Wise Lake

This prohibition does not apply to the Congaree and the Wateree Rivers as the park boundary does not include either body of water. Weston Lake is not included as it is in the designated front country area and camping is prohibited except for at designated campgrounds. (Ref. 36 CFR §2.10(b)(3))

*Justification: These camping regulations have been established to balance the recreational activity of camping with the need of the park to protect and manage the resource. These regulations are intended to provide a safe and enjoyable recreational experience consistent with the National Park Service standards.*

9. The Superintendent has not established any special regulations that apply to food storage outside of the regulations established in 36 CFR §2.10(d).

### **36 CFR § 2.11 - Picnicking**

1. The Superintendent has not established closed areas or special regulations for picnicking within the park.

### **36 CFR § 2.13 - Fires**

1. Fires in the park are prohibited, except under the following conditions:
- Fires are allowed in the fire rings at designated campsites. Fires must be contained within the fire ring. Firewood (as defined in Section 1.5) is the only fuel source to be used in the fire.



- Fires are allowed in the permanent grills at the Picnic Shelter. The fire must be contained within the grill. Charcoal and firewood are the only fuel sources allowed.
- Fires are allowed in portable grills at the Longleaf campground campsites and at the picnic area to include the shelter. Portable grills are not allowed at the Bluff Campgrounds. Charcoal and/or wood and propane are authorized fuel sources for portable grills.

Other items burned in a fire receptacle may be considered as the improper disposal of refuse, which is in violation of 36 CFR § 2.14. (Ref. 36 CFR §2.13(a)(1))

*Justification: Fires are prohibited in the wilderness and a large portion of the park is either wilderness or potential wilderness. Fire, if not managed properly can have a devastating effect on natural and cultural resources as well park assets. Therefore, this regulation is in place to allow for the limited recreational use of fire while mitigating possible damages.*

2. The Superintendent has established the following conditions for extinguishing a fire.
  - Fires will be extinguished so that the burnt material is not smoldering and barely warm to the touch.
  - Soil or sand will not be used to extinguish a fire. (Ref. 36 CFR §2.13(b))

*Justification: This regulation is intended to help control the unwanted spread of fire by making sure that fires that are no longer in use or properly attended are extinguished to park specifications.*

### **36 CFR § 2.14 – Sanitation and Refuse**

1. The Superintendent has not established any additional regulations concerning the disposal, containerization and carry-out of human body waste. (Ref. 36 CFR §2.14(a)(2))

### **36 CFR § 2.15 - Pets**

1. Pet excrement that is deposited in any improved area for visitor access or recreation will be removed by the owner and deposited in a trash receptacle. Improved areas for public access and recreation include but are not limited to designated trails, boardwalks, bridges, campsites, roads, parking lots, sidewalks, picnic shelters/areas, and boat launches. (Ref. 36 CFR §2.15(a)(5))

*Justification: Improved areas for visitor access and recreation are expected to be free from pet excrement and other waste. Excrement and other waste can lead to unsanitary, unhealthy and unsafe conditions for park visitors.*

Note: Guidance on service animals can be found in DO-42 and the Director's memo dated 9/5/02 and titled "Use of Service Animals by Persons with Disabilities in the National Park System."

### **36 CFR § 2.16 – Horse and Pack Animals**

1. The use of horses or other pack animals is prohibited in Congaree National Park.

(Ref. 36 CFR §2.16(g))

*Justification:* Horses and pack animals are prone to causing trail damage, such as postholes, particularly in sensitive environments such as those found in a floodplain forest. Horses and pack animals can also spread non-native plants through their excrement.

### **36 CFR § 2.21 – Smoking**

1. The Superintendent has designated that all buildings, structures and facilities are closed to smoking. (Ref. 36 CFR §2.21(a))

*Justification:* This action is in accordance with Federal Law (Executive Order 13058) that prohibits smoking in all Federal buildings.

### **36 CFR § 2.22 – Property**

1. The Superintendent has not established a time period for abandoned property in excess of the 24 hour period established in this regulation. (Ref. 36 CFR§2.22(a)(2))

### **36 CFR § 2.35 – Alcoholic Beverages and Controlled Substances**

1. The possession or consumption of an alcoholic beverage and/or the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open in the park is prohibited. This prohibition includes all park areas of the park except: the designated picnic shelter/area (west of the Harry Hampton Visitor Center), front country campgrounds, back country campsites and the living quarters and immediate area surrounding the learning center (to include the VIP campsite). A valid back country campsite is any site that is permitted in accordance with park regulations within the designated back country. The Superintendent may authorize the possession and consumption of alcoholic beverages as part of a special event. (Ref. 36 CFR§2.35(a)(3)(i))

*Justification:* The park has experienced alcohol related problems in the past that has included large disruptive college parties; intoxicated persons with alcoholic beverages on interpretive programs; and the littering of alcoholic beverage containers along the trails and creeks. Therefore, to better manage alcoholic beverage consumption, the park will only allow alcoholic beverages to be consumed

*at specified locations in the park. This will promote a safer and more enjoyable experience for all park visitors.*

### **36 CFR § 2.51 – Public Assemblies, Meetings**

1. The areas listed below are designated for demonstrations and the sale or distribution of printed matter. These areas may be occupied by groups of 25 or fewer persons without a permit consistent with 36 CFR 2.51 and 2.52. Though not required, a permit is recommended in order for even small groups to assure that there is no conflict with other scheduled activities. Detail maps of the areas will be furnished upon request and/or with a permit.
  - Small Group (10 or less) - Harry Hampton Visitor Center – Stone terrace on the front of the building in front of the breezeway.
  - Medium Group (11 to 24) – Harry Hampton Visitor Center Parking Lot – The front of the middle parking lot where the sidewalk meets the parking area.
  - Large Group (25 or more) – Overflow Parking Lot – Adjacent to the Entrance Road at the power line. (Ref. 36 CFR §2.51(e))

*Justification: These areas have been designated pursuant to the provisions of the Federal Register with the intention of providing persons exercising their First Amendment rights with a very public area with the potential for “high visibility”. Due to space limitations at the park, alternative arrangements must be made for the assembly/meeting as the size of the group increases.*

### **36 CFR § 2.52 – Sale or Distribution of Printed Matter**

1. See section 2.51 above regarding the list of designated areas authorized for the sale or distribution of printed material. (Ref. 36 CFR §2.52(5)(e))

### **36 CFR § 2.62 – Memorialization**

1. The scattering of human ashes from cremation will be permitted pursuant to a permit issued by the park and pursuant to the following conditions:
  - The chosen site must be no less than 200 feet from any buildings or historic building, structure or cemetery sites.
  - The chosen site must be no less than 100 feet away from any other structures and developed areas, e.g. visitor centers, roads, trails, campgrounds and picnic areas.
  - The chosen site must be no less than 150 feet from a stream or other watercourse.
  - The ashes must be scattered and not deposited in any type of container. Cremains may not be buried even without a container.

- No marker or memorial of any sort may be placed or left at the site. The placement or planting of real or artificial flowers, memorial trees, brass markers, wooden crosses, etc. is prohibited.
- A copy of the permit must accompany the person performing the scattering.
- Cremation must be accomplished in accordance with state law.

(Ref. 36 CFR §2.62(b))

*Justification: The disposal of human remains and the associated containers are governed by State law due to legal, health and safety considerations and must be managed accordingly.*

### **Part 3 – Boating And Water Use Activities**

#### **36 CFR § 3.20- Boating**

1. The Superintendent has not established a permit process for the use of a vessel within the park. (Ref. 36 CFR §3.20(3.3))

### **Part 4 – Vehicles and Traffic Safety**

#### **36 CFR § 4.21 – Speed Limits**

1. The superintendent has established speed limits within the park that differ from those established in 36 CFR §4.21. The speed limits are clearly posted and have been established with park safety and purpose in mind. (Ref. 36 CFR §4.21(b))

*Justification: The park roads as the currently exist do not support speed limits up to the 45 mph designation.*

Note: Vehicles which are not manufactured for street use and which do not meet applicable federal motor vehicle safety standards (e.g. golf carts and ATV's) are prohibited on park roads. When there is doubt about the status of a motor vehicle, it shall be the obligation of the owner to provide documentation from the manufacturer that the vehicle meets federal motor vehicle safety standards. Generally, that can be confirmed by stickers on the vehicle or text in the owner's manual, or by checking tires for "Not for Highway Use" text. The licensing of off-road vehicles by some jurisdictions has created confusion about which vehicles are allowed on public roads.

#### **36 CFR § 4.30 – BICYCLES**

1. The Superintendent has designated that all roads and parking lots open to the general public for vehicle use are open to the general public for bicycle use. Bicycle use is prohibited on park trails as well as riding cross country without trail. Bicycle use is also prohibited on park administrative roads, unless signed otherwise. (Ref. 36 CFR §4.30(a))

Justification: *Bicycle use is prohibited in wilderness and designated wilderness areas. For those park areas not designated as wilderness, bicycle use is prohibited because an assessment has not been completed to determine the effects and impacts on park resources.*

### **36 CFR § 4.31 - Hitchhiking**

1. For the purpose of hiking a park trail, hitchhiking is permitted to obtain transportation back to one's vehicle or from one's vehicle to a trail entry point. Hitchhiking is also permitted to obtain assistance for a disabled vehicle. Hitchhiking shall not be permitted where it creates a traffic hazard. (Ref. 36 CFR §4.31)

Justification: *Some park trails (land and water) do not loop back to their beginning point but come out some distance from the original entry point. Soliciting a ride for short distances has not created any problems over the years, particularly since the park does not have a throughway road system way.*